

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9153 of 2026

Arising Out of PS. Case No.-138 Year-2024 Thana- DELHA District- Gaya

=====

Babu Kumar @ Abhishek Kumar, S/o- Late Biku Ravidas, Resident of
Mohalla- Chhotaki Delha Tekari Road P.S- Delha District- Gaya (Gaya Jee)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ramakant Singh, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 03-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 95 of 2025, arising out of Delha P.S. Case No. 138 of 2024, registered for the alleged offences under Sections 324, 326, 307, 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and other co-accused persons assaulted the brother of the informant and his friend with knife and pointed rod and seriously injured them. Subsequently, they succumbed to their injuries during treatment.

4. The learned counsel for the petitioner submits that this is the second attempt of the petitioner to seek bail from this Court. Earlier, the prayer for bail of the petitioner was rejected



vide order dated 01.09.2025 passed in Cr. Misc. No. 23385 of 2025. The learned counsel further submits that the petitioner is in custody since 21.06.2024, but the trial has not been concluded till date. The learned counsel further submits that there is altogether 9 prosecution witnesses, but only 4 witnesses have been examined till date. So, there is no likelihood of early conclusion of trial. The learned counsel further submits that the petitioner is a student and there is no substantive material against him.

5. The learned APP vehemently opposes the submission made on behalf of the petitioner. The learned APP submits that no fresh ground has been brought on record for reconsideration of prayer of bail and the period of custody could not be a ground.

6. A report dated 06.03.2026 has been received from the learned trial court about the present stage of trial wherein the learned trial court has submitted that out of 09 charge sheet witnesses, 4 witnesses have been examined and the trial was likely to be concluded within six months.

7. Having regard to the facts and circumstances and submission made on behalf of the parties, I do not find any new ground to reconsider the prayer for bail of the petitioner. Hence,



his prayer for grant of bail is rejected.

8. However, the learned trial court is directed to abide by its undertaking and dispose of the matter at the earliest.

9. At the same time, the Senior Superintendent of Police, Gaya Jee is directed to ensure the presence of remaining prosecution witnesses on the dates fixed before the learned trial court. In case, the Senior Superintendent of Police fails to produce the witnesses on the dates fixed, he will be called before this Court to explain the circumstances.

(Arun Kumar Jha, J)

V.K.Pandey/-

U		T	
---	--	---	--

